

**United States District Court**  
FOR THE  
**NORTHERN DISTRICT OF CALIFORNIA**  
VENUE: **SAN FRANCISCO**

**E-filing**

UNITED STATES OF AMERICA,

V.

CARLOS CARDENAS-GARCIA,

DEFENDANT(S).

**INDICTMENT**

VIOLATION:

Title 8, United States Code, Section 1326 - Alien Found in the United States After Deportation

*INDICT*  
A true bill.

*James E. [Signature]*  
Foreman

Filed in open court this 15 day of MAY 2008

*[Signature]*  
EDWARD M. CHEN  
UNITED STATES MAGISTRATE JUDGE

*No Bail Warrant*  
Clerk

*Betty*  
Bail, \$  
BETTY FONG

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**
 8 U.S.C. § 1326 - Illegal Reentry  
 After Deportation (One Count)

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony
**PENALTY:**
 20 years imprisonment; \$250,000 fine; 3 years supervised  
 release; \$100 special assessment.
**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

☐ person is awaiting trial in another Federal or State  
 Court, give name of court

☐ this person/proceeding is transferred from another  
 district per (circle one) FRCrP 20, 21 or 40. Show  
 District

☐ this is a reprosecution of  
 charges previously dismissed  
 which were dismissed on  
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a  
 pending case involving this same  
 defendant

☐ prior proceedings or appearance(s)  
 before U.S. Magistrate regarding  
 this defendant were recorded under
SHOW  
DOCKET NO.MAGISTRATE  
CASE NO.
 Name and Office of Person  
 Furnishing Information on  
 THIS FORM

Joseph P. Russoniello

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y  
 (if assigned)

Erika R. Frick

 Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA
**DEFENDANT - U.S.**

CARLOS CARDENAS-GARCIA

DISTRICT COURT NUMBER

**DEFENDANT****IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons  
 was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer  
 been filed?

☐ Yes  
☐ No

 If "Yes"  
 give date  
 filed

**DATE OF  
 ARREST**

Month/Day/Year

Or... if Arresting Agency &amp; Warrant were not

Month/Day/Year

**DATE TRANSFERRED  
 TO U.S. CUSTODY**
☐ This report amends AO 257 previously submitted
**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 \*Where defendant previously apprehended on complaint, no new summons  
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

E-filing

FILED  
30 MAY 15 PM 1:01  
U.S. DISTRICT COURT  
SAN FRANCISCO, CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CR 08

0333

PJH

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS CARDENAS-GARCIA,

Defendant.

No.

VIOLATION: Title 8, United States Code,  
Section 1326 – Alien Found in the United  
States After Deportation

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

On or about March 21, 2002, November 5, 2002, February 26, 2004, February 7, 2005,  
May 12, 2005, March 28, 2007, and August 20, 2007, the defendant,

CARLOS CARDENAS-GARCIA,

an alien, was excluded, deported and removed from the United States, and thereafter, on or about  
May 5, 2008, was found in the Northern District of California, the Attorney General of the  
United States and the Secretary for Homeland Security not having expressly consented to a

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INDICTMENT

re-application by the defendant for admission into the United States, in violation of Title 8,  
United States Code, Section 1326.

DATED:

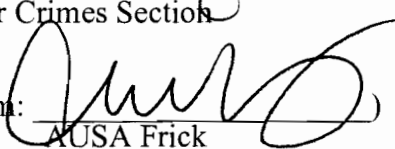
A TRUE BILL.

5-15-08

  
FOREPERSON

JOSEPH P. RUSSONIELLO  
United States Attorney

  
KYLE F. WALDINGER  
Deputy Chief, Major Crimes Section

(Approved as to form: )

AUSA Frick

INDICTMENT